

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROGACIANO GONZALES-MENDOZA,

Petitioner,

vs.

RICHARD MORGAN,

Respondent.

NO. CV-05-5065-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION

Magistrate Judge Imbrogno filed a Report and Recommendation on March 14, 2008, recommending Respondent's Motion to Dismiss be granted and Petitioner's application for habeas relief be dismissed. Objections to the Report and Recommendation were due on March 31, 2008. There being no objections to the Report and Recommendation, the court **ADOPTS** the Report and Recommendation.

Accordingly, **IT IS HEREBY ORDERED:**

1. Respondent's Motion to Dismiss (Ct. Rec. 40) is **GRANTED**,
2. Petitioner's Petition for Writ of Habeas Corpus (Ct. Rec. 1) is **DISMISSED WITH PREJUDICE**.

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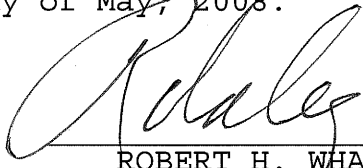
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1 IT IS SO ORDERED. The District Court Executive shall forward
2 copies of this Order to counsel for the Petitioner and counsel for
3 Respondent. The file shall be closed and judgment entered for
4 Respondent.

5 DATED this 20th day of May, 2008.

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8 ROBERT H. WHALEY
CHIEF UNITED STATES DISTRICT JUDGE
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